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LETTER DATED 15 DECEMBER 1998 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to submit for your consideration reports from the Director General of the International Atomic Energy Agency (IAEA), dated 14 December 1998, and the Executive Director of the United Nations Special Commission (UNSCOM), dated 15 December 1998, concerning their work in Iraq, as called for in the letter to me from the President of the Security Council dated 30 October 1998.

The reports cover the period since 17 November 1998.

The report from IAEA states that Iraq "has provided the necessary level of cooperation to enable the above-enumerated activities to be completed efficiently and effectively".

The report from UNSCOM includes material that relates to issues prior to 17 November 1998. With regard to the period since then, the report presents a mixed picture and concludes that UNSCOM did not enjoy full cooperation from Iraq.

In the light of the findings and conclusions contained in the reports, taken together, the Council may wish to consider three possible options:

1. That the experience over the period since 17 November 1998 does not provide a sufficient basis to move forward with a comprehensive review at this time.

2. That Iraq has not provided full cooperation but that it should be permitted additional time to demonstrate its commitment to do so.

3. That the Council may wish to proceed with a comprehensive review on the premise that it is sufficiently important to know precisely what has been achieved in the area of disarmament over the entire period since 1991.

I stand ready to assist the Council in whatever manner it deems best.

(Signed) Kofi A. ANNAN

Annex I

Letter dated 14 December 1998 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

Further to your letter of 25 November I wish to report that, since its return to Iraq on 17 November, the IAEA Nuclear Monitoring Group has, to date, carried out the following activities:

28	inspections at previously inspected sites – initially following an intensified programme to restore continuity of knowledge of the status of Iraq's relevant assets
11	inspections at new sites – jointly with UNSCOM, as part of an ongoing intensified programme of inspections at "capable sites", including four repeat inspections
113	visits to locations for the collection of environmental monitoring samples
15	road vehicle based radiation surveys
3	interviews of personnel known to have been formerly employed in key positions within Iraq's clandestine nuclear programme
5	discussion sessions with the Iraqi counterpart to clarify technical matters related to Iraq's clandestine nuclear programme
2	site visits, each of several days duration, to maintain and extensively update IAEA video surveillance systems
1	site visit of several days duration to install and commission a meteorological data collection station in connection with the IAEA wide area environmental monitoring programme.

The Iraqi counterpart has provided the necessary level of co-operation to enable the above-enumerated activities to be completed efficiently and effectively.

In addition, an IAEA team visited Iraq from 9 to 13 December to discuss with the Iraqi counterpart the status of the few remaining questions and concerns related to Iraq's clandestine nuclear programme. During the discussions the Iraqi counterpart expressed its intention to continue to co-operate with the IAEA in the resolution of those matters.

(Signed) Mohamed ELBARADEI

Annex II

Letter dated 15 December 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the Secretary-General

I refer to the Press Statement by the President of the Security Council (SC/6596) of 15 November 1998, in which the Council noted, on the basis of communications of 14 November 1998 received from the Deputy Prime Minister of Iraq and the Ambassador of Iraq, "that Iraq has decided, clearly and unconditionally, to cooperate fully with the Special Commission and the International Atomic Energy Agency (IAEA), that this decision constitutes a rescinding of the decisions of 5 August and 31 October and that Iraq's cooperation with the Special Commission and the IAEA will allow the return of inspectors to resume all their activities on an immediate, unconditional and unrestricted basis, in accordance with the relevant resolutions and with the Memorandum of Understanding of 23 February 1998."

In the same Statement, "Council members reaffirmed their readiness to proceed with a comprehensive review, once the Secretary-General has confirmed, on the basis of reports from the Special Commission and the IAEA, that Iraq has returned to full cooperation, on the basis of resolution 1194 (1998) and the Council President's letter of 30 October to the Secretary-General."

The present letter provides the report called for from the Special Commission. It is guided, in particular, by the provision in the Press Statement to the effect that: "Council members underlined that their confidence in Iraq's intentions needs to be established by unconditional and sustained cooperation with the Special Commission and the IAEA in exercising the full range of the activities provided for in their mandates in accordance with the relevant resolutions and the Memorandum of Understanding of 23 February 1998."

Before providing an account of the Commission's experience during the past month, I believe it is essential to provide, briefly, some background contextual material which, in addition, provides explanation for the range of activities which the Commission chose to follow since 17 November 1998.

From the inception of the Commission's work in Iraq, in 1991, Iraq's cooperation has been limited. Iraq acknowledges that, in that year, it decided to limit disclosure for the purpose of retaining certain prohibited weapons capabilities. Three main Iraqi policies ensued:

(a) its disclosure statements have never been complete;

(b) contrary to the requirement that destruction of prohibited capabilities be conducted under international supervision, Iraq undertook extensive, unilateral, secret destruction; and

(c) it also pursued a practice of concealment of proscribed items, including weapons.

This situation, created by Iraq, in particular through the inadequacy of its disclosures, has meant that the Commission has been obliged to undertake a kind and degree of forensic work which was never intended to be the case. The work of the verification of Iraq's disclosures should have been far easier and been able to be undertaken far more quickly than has proven to be the case.

In addition, these circumstances have meant that, in spite of the years that have passed and the extensive work that has been undertaken, it has not been possible to verify Iraq's claims with respect to the nature and magnitude of its proscribed weapons programmes and their current disposition.

With respect to this latter point, two comments are apposite.

First, Iraq's current claims that it has fulfilled all of its disarmament obligations in each weapons area; ceased concealment policies and actions; and that it has neither proscribed weapons nor the ability to make them, cannot be accepted without further verification.

Secondly, documents or records available in Iraq in which relevant details of its proscribed programmes and actions are reported: production records; records of disposition of weapons; and, records of claimed destruction, relevant policy decisions and decisions on termination of concealment, would be invaluable in helping to close remaining gaps and achieve acceptable confidence in Iraqi declarations. The Security Council recognised these two aspects in resolution 707 (1991) when it demanded Iraq provide immediate and unconditional access to, inter alia, records, and, demanded that Iraq cease attempts to conceal prohibited materials.

In response to the Commission's requests for relevant documents, Iraq has repeatedly claimed that they no longer exist or cannot be located, a claim which very often has been shown to be false, either because inspection activities have in fact located precisely such documents or because Iraq has reversed its stated position and then produced relevant documents. The Commission briefed the Council on its assessment of the existence and importance of documents in June 1998. The Commission has assessed since the "chicken farm" event of 1995 that only selected categories of documents were provided and that other categories were retained by Iraq. It remains the Commission's strong view that, under the present circumstances, relevant documentation must exist in Iraq and that provision of such documentation is the best hope for revealing the full picture, as required by the relevant resolutions.

On 17 November 1998, the Commission began to resume its work in Iraq across the full range of its activities. Accordingly, that work was focussed on four main areas, pursuant to the Commission's mandate: requests for information through access to documents and interviews of Iraqi personnel; monitoring inspections; inspection of capable sites; and, disarmament inspections relating to proscribed weapons and activities.

The following is a summary of the Commission's experience in each category, from 17 November 1998 to date:

Requests for access to information through documentation and interviews of Iraqi personnel

On a number of occasions, the Security Council has demanded that Iraq allow immediate, unconditional and unrestricted access to documents and records relevant to the Commission's activities. On 17 November 1998, the Commission requested Iraq to provide certain documentation related to the chemical weapons and missile areas. The purpose of this request was to increase the Commission's level of verification in these areas. It comprised a selection of 12 particular sets of documents and a request for access to the relevant archives of Iraq's Ministry of Defense and Military Industrialization Corporation and other Government departments.

Iraq provided documents in response to one of the Commission's requests. It gave some 64 pages related to Missile Unit 223. These pages are currently under translation and examination. A preliminary assessment indicates that they do not contain the information sought by the Commission.

The Commission reiterated its request for the document found by an inspection team at the Headquarters of the Iraqi Air Force in July 1998. The Security Council has asked Iraq to return the document to the Commission. This document details Iraq's consumption of special munitions in the 1980s, and therefore, is directly related to verification of the material balance of Iraq's chemical munitions. Iraq refused to return the sealed envelope with the document to the Commission and stated that it is ready only to "consider" with the Commission's experts the relevant portions of this document in the presence of the Special Representative of the Secretary General.

Iraq stated that the remainder of the requested documents either do not exist, could not be found or are not relevant to Commission's activities.

With respect to archives, Iraq did not respond to the suggestion made by the Commission. It did not deny the existence of the archives, but stated that the Ministry of Defence and Military Industrialization Corporation had been inspected by the Commission. The teams did not find any relevant archives at the above mentioned sites during the inspections.

During the reporting period a biological inspection team requested Iraq's authorities to provide access to a number of specific documents. One document had already been seen by the Commission in 1995. These documents were not given to the inspection team.

On 19 November 1998, Iraq was requested to provide explanations and clarifications on outstanding disarmament issues in the chemical weapons and missile areas. Furthermore, Iraq was requested to allow the removal for analysis of a number of missile engine components produced by Iraq.

In the chemical weapons area, Iraq provided, as requested, a report on its analysis of the samples from the special missile warhead fragments. On the issue of VX, Iraq for the first time claimed that the contamination of the warhead fragments had been the result of a deliberate act of tampering with the samples taken to the United States. Iraq made this statement despite the conclusions drawn by three international expert teams, which confirmed that all analytical results were valid and conclusive.

In the missile area, Iraq provided some clarifications sought by the Commission. On other requests, Iraq, in essence, reiterated its known positions, which did not advance the verification process.

With respect to the Commission's request to allow the removal of missile engine components, Iraq has refused to do so stating that this request is not justified on "technical or scientific grounds".

On 18 November 1998, the Commission requested Iraq to provide new substantial information on its biological weapons activities that would enable the Commission to achieve an enhanced level of verification and to rectify inconsistencies in Iraq's current declarations. No new information or documents have been presented by Iraq in response to this request.

Inspection teams - resident and non-resident - encountered several problems with the questioning of personnel on site. The National Monitoring Directorate (NMD) representatives repeatedly intervened when a biological team attempted to question PhD and MSc students stating that UNSCOM was not allowed to interview students at university sites even though declarable research has taken place at such sites. NMD routinely interrupted and prompted site personnel when answering questions.

Monitoring inspections

In statistical terms, the majority of the inspections of facilities and sites under the ongoing monitoring system were carried out with Iraq's cooperation. Problems arose which indicated that the limitations Iraq had imposed on the monitoring system, on 5 August 1998, have not been fully rescinded. Specific instances are given below.

During the reporting period, the Commission requested, on several occasions, access to specific data collected by Iraq during its tests of indigenously produced missiles and rocket engines. Prior to 5 August 1998, Iraq had provided such data. In response to the Commission's recent requests, Iraq stated that it is meeting its obligations with respect to the provision of data on its testing activity and denied access to the particular information requested by the Commission. In relation to the Commission's most recent requests, on 6 December, Iraq stated it would reconsider its decision. It has not yet provided the data requested.

During a chemical monitoring inspection on 5 December, the National Monitoring Directorate (NMD) representatives placed unacceptable conditions on the photography of bombs, citing national security concerns. No photographs were taken.

During the reporting period, undeclared dual-capable items and materials subject to chemical and biological monitoring, were also discovered.

On 11 December the chemical monitoring group was told by the NMD representative that they would not be able to conduct an inspection at a specific monitoring site on that day because it was a Friday. The inspection group was not able to inspect the inside of the site. This incident underlined the position stated earlier that Iraq would facilitate entry to buildings "during the working days of the work, except Fridays".

Inspections of capable sites

Identification of the nature of activities at locations where undeclared dual-use capabilities may exist is an important aspect of monitoring activity. During the reporting period, teams conducted no-notice inspections at a number of sites that had not been declared by Iraq. Access to these sites was provided and inspections took place with one exception which was at a facility occupied by the People's Mojahedin Organization of Iran (PMOI). The site of this facility was declared as being not under the authority of Iraq. Discussions over access were left to the Commission and that organization. A dialogue has begun on this matter and the PMOI has accepted, in principle, that its sites are subject to access by the Commission.

Disarmament inspections

During the recent period, a series of inspections were conducted which served both the purpose of searching for material related to prohibited programmes and investigation of possible ongoing prohibited activities. The team conducting these missions went to six locations. At the first two sites, (Taji military facility and a special security organization cable office), Iraq declared the sites to be sensitive, but offered no objections nor claimed any conditions on access.

The next site, designated for inspection on the basis of solid evidence presented to UNSCOM of the presence of proscribed materials, was declared by Iraq to be a Ba'ath Party Headquarters. Iraq initially declared it to be sensitive and therefore subject to special procedures issued by the former Executive Chairman, Ambassador Ekeus, to his inspectors in 1996. The Chief Inspector was instructed to conduct his inspections according to the requirements he assessed he needed for a credible and timely inspection. Experience since 1996 had proven that the limited access procedures of 1996 did not allow effective inspections. Subsequent discussions between the Executive Chairman and the Deputy Prime Minister had addressed this point (as reported to the Security Council in a letter dated 17 December 1997 (S/1997/987)) and new modalities had been agreed. Protracted discussions between the Chief Inspector and his Iraqi counterpart failed to yield satisfactory access. During the discussions, Iraq had introduced various new requirements, including a formal letter of request, indicating what was being sought at the site.

At a fourth site, while Iraq declared it to be sensitive, arrangements were ultimately agreed for the inspection. Iraq stated that this had been the former Headquarters of the Special Security Organization, claiming that it had now been moved to a new location. The building had been emptied of any relevant materials. Iraq would not disclose where those materials were now held.

A fifth site appeared to be a private residence and, with the permission of the residents, two female Inspectors made a brief walk through to confirm the nature of the site.

The final site, the management offices of the Military Industrialization Corporation (MIC), was also declared sensitive by Iraq. However, agreement on access by a small team was achieved. This site, too, had been prepared to avoid any disclosure of relevant materials and the team assessed Iraq had expected their arrival.

In light of the clear evidence that Iraq had taken advance actions at certain of the locations planned for inspection in order to defeat the purposes of inspection, the Executive Chairman decided not to conduct the full range of inspections the team had planned. No inspection of presidential sites took place.

National Implementation Measures

Both the Special Commission's and the IAEA's Plans for ongoing monitoring and verification, which were approved by Security Council resolution 715 (1991), provide that Iraq shall adopt the measures necessary to implement its obligations under section C of resolution 687 (1991), resolution 707 (1991) and the Plans. In particular, Iraq is required to adopt legislation prohibiting all natural and legal persons under its jurisdiction from undertaking anywhere any activity prohibited by the relevant resolutions and the Plans, and to enact penal legislation to enforce the aforesaid prohibitions. Such legislation was required by the Plans to have been enacted within 30 days of their adoption by the Security Council on 11 October 1991. To date, the legislation has not been enacted.

This is an issue on which Iraq's cooperation has been sought since 1991. It would have been an indication of full cooperation had Iraq taken action on this issue in the period under review.

Conclusion

As is evident from this report, Iraq did not provide the full cooperation it promised on 14 November 1998.

In addition, during the period under review, Iraq initiated new forms of restrictions upon the Commission's work. Amongst the Commission's many concerns about this retrograde step is what such further restrictions might mean for the effectiveness of long-term monitoring activities.

In spite of the opportunity presented by the circumstances of the last month, including the prospect of a comprehensive review, Iraq's conduct ensured that no progress was able to be made in either the fields of disarmament or accounting for its prohibited weapons programmes.

Finally, in the light of this experience, that is, the absence of full cooperation by Iraq, it must regrettably be recorded again that the Commission is not able to conduct the substantive disarmament work mandated to it by the Security Council and, thus, to give the Council the assurances it requires with respect to Iraq's prohibited weapons programmes.

(Signed) Richard BUTLER

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LETTER DATED 15 DECEMBER 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication from the Permanent Representative of Iraq to the United Nations, dated 14 December 1998, transmitting a letter from the Deputy Prime Minister of Iraq, His Excellency Mr. Tariq Aziz, on the activities of the Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) in Iraq from 18 November to 12 December 1998.

I should be grateful if you would bring this letter, with its enclosures, to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

[Original: Arabic]

Letter dated 14 December 1998 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 14 December 1998 from Mr. Tariq Aziz, Deputy Prime Minister of Iraq, enclosing a full report on the activities undertaken in Iraq since 18 November 1998 by the Special Commission and International Atomic Energy Agency teams, and Iraq's comments thereon.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Enclosure

[Original: Arabic]

Letter dated 14 December 1998 from the Deputy Prime Minister of Iraq addressed to the Secretary-General

In view of the fact that the Special Commission and the International Atomic Energy Agency will shortly submit to you reports on their activities during the period subsequent to our decision of 14 November 1998, I am pleased to enclose a full report on the activities undertaken in Iraq from 18 November to 13 December 1998 by the Special Commission and International Atomic Energy Agency teams, and Iraq's comments thereon.

Accept, Sir, the assurances of my highest consideration.

(Signed) Tariq AZIZ
Deputy Prime Minister

Baghdad, 14 December 1998

Appendix

[Original: English]

UNSCOM and the IAEA Activities from 18 November to 12 December 1998

1. Monitoring Activities

- The Special Commission resumed its activities on 18 November 1998 with noticeable intensity, through the monitoring groups specialized in missiles, chemical, biological, imports, air surveillance areas and cameras maintenance group as well as the nuclear group of the IAEA.

- UNSCOM and the IAEA activities were focused first on examining the system of cameras, sensors and communications. All of these equipment were intact and no damage was inflicted on them.

- The National Monitoring Directorate (NMD) informed the Baghdad Monitoring and Verification Center (BMVC) of all the changes happened during the absence of the inspectors from Iraq, including the movement or modification of dual-use equipment and materials or tests which are subject to monitoring. UNSCOM made sure of the transparency and accuracy of the Iraqi declarations and the good-will of the Iraqi side, which was unfortunately met, sometimes, with trivial and provocative questions. Annex-A and Annex-B show these activities.

2. Inspection Teams Activities

This period is characterized by dispatching inspection teams to conduct interviews and discussions, inspect the sites in a strict and doubts-casting manner. The teams were able to interview all the individuals required and to reach all the sites they wished to inspect, as follows:

A. Chemical Activity

UNSCOM-257 inspection team was dispatched to Iraq from 22-28 November 1998 without sending an advance notification to the Iraqi side. The team composed of five inspectors and was headed by Kais Walterik (Netherlands). The other four inspectors were Americans. They selectively visited 11 sites, using FTIR to evaluate the monitoring system of the sites which are subject to chemical monitoring. The measurements did not detect any violation at those sites.

B. Biological Activity

In this area, the activity was very intensive during this period. The UNSCOM sent four inspection teams in overlapping times:
1. UNSCOM-253 from 1-6/12/1998.
2. UNSCOM-261 from 3-10/12/1998.
3. UNSCOM-260 from 6-10/12/1998.
4. UNSCOM-256 from 10-18/12/1998.

The first team UNSCOM-253 conducted lengthy interviews and discussions on R&D in the past biological programme.

The second team UNSCOM-261 visited 8 sites which are subject to monitoring in order to verify its daily activities. The team did not find any indication of proscribed activity or what contravened Iraq's declarations.

The third team UNSCOM-260 conducted interviews and discussions on the growth media imported for the past biological programme. Iraq has fully cooperated with the team by making available all the relevant individuals and answering all the questions and inquiries raised during the discussions although all the questions had been addressed previously by UNSCOM and answered by the Iraqi side. It was surprising that the team mentioned that it was not certain that the growth media destroyed by UNSCOM in 1992 truly represented the remaining growth media. If the case was as such, why UNSCOM destroyed those growth media.

The task of the fourth team UNSCOM-256 was focused on the growth media (yeast essence) imported by Samara Drugs Factory to use them in the manufacturing of medicine. UNSCOM claimed that this material was imported for the purposes of the past biological programme, an allegation which was refuted during the TEM held in Vienna in March 1998. On 11 December 1998, the chief inspector entrusted with this task stated that he could make sure that what Iraq said during the TEM was correct, but the team wanted to make sure of the consumption of this material in Samara Drugs Factory (although Iraq has already provided all the required documents relating to this subject!).

c. Missile Activity

- The Special Commission dispatched the inspection team (UNSCOM - 229) from 3 December to 20 December 1998.
  The team used advanced and very specialized eavesdropping equipment, which the Special Commission claims that it wanted to make use of in tracing Al-Sumood Missile, whose range is less than (150) Km, during free flight tests. In fact, the equipment used by the team constitutes a serious violation of the security of communications used by Iraq, since there is no convincing technical justification for using these equipment especially that the monitoring teams follow up the research, production, assembling and test activities concerning the said missile. In addition to that, the monitoring teams attend the free tests and take the geographical coordinate readings by (GPS) for both launching and falling down points, an act which ensures verification that the missile will not exceed the range limited to it under the monitoring plan.

  So, there is no technical or professional reason for dispatching such a team, particularly in this period.

- From 1-13 December1998, the Special Commission dispatched the inspection team (MG-19A) which consisted of (8) inspectors with a view to verifying the missiles which are subject to monitoring (Volga, Ababil/50 and Lona missiles) and making sure that they have not been modified to ranges more than (150) Km, through checking the tags fixed to missiles chosen randomly by the Special Commission in different areas of Iraq. Iraq has cooperated with the aforesaid team so as to facilitate its task.

  At the end of the team's task, on 12 Decmebr 1998, the chief inspector pointed out that the team had fulfilled its task successfully and that all the missiles required by UNSCOM had been verified and they were in conformity with Iraq's decalarations.

D.Nuclear Activity

The IAEA dispatched a delegation headed by the Chief of the Action Team at the agency from 9-13 December 1998. The delegation

discussed with the Iraqi side issues most of which had been already discussed and mentioned in the IAEA reports of July and October,1998. These issues concern:

- Documents the IAEA claims that they are in the possession of the Iraqi side. In fact these documents are non-existent, and Iraq had already confirmed this fact and repeatedly told the IAEA about it.

- The accounting for uranium metal production and making sure of the accounts of its exact production. This issue has been conclusively settled in these discussions.

- Several issues concerning monitoring have been discussed as well.

3. Concealment Allegations.

A large inspection team (UNSCOM --258) has been dispatched from 7-13 December 1998, without advance notification pursuant to the joint working rules which stipulate that the Iraqi side should be notified of the arrival of the inspection teams (48) hours before their arrival. This team consisted of (30) inspectors headed by Roger Hill (Australia), twenty of the inspectors, the main members in the team, were American, British and Australian.

The team carried out its work in an intrusive and provocative manner showing no respect for the procedures agreed upon between Iraq and UNSCOM, especially those relating to the inspection of sensitive sites. It was obvious that the team has sought, since the beginning, to create problems by applying provocative methods in its work. For example, in the preparatory meeting on 1 December 1998, the day the team arrived, the chief inspector said that he did not recognize the modalities of the inspection of sensitive sites agreed upon 22 June 1996 with the former Executive Chairman, and that he only worked under "Butler's instructions". In addition, during the inspections, particularly after inspecting the Special Security Service's Guest House on 10 December 1998, he had publicly stated that he sought to look into the Service's documents which are closely related to Iraq's national security. On the following day, the team inspected a residential house in Baghdad, which indicates that the team has no specific target related to disarmament which is the essential goal of UNSCOM work. On the contrary, the team relied on false and misleading information

meant to provoke the Iraqi side and in violation of UNSCOM commitments to respect Iraq's dignity, sovereignty and national security, thereby abolishing the Joint Programme of Action agreed upon by the two parties on 22 June 1996. This also implies no respect for the Memorandum of Understanding signed with the UN Secretary-General on 23 February 1998 which stressed UNSCOM's obligation to act in accordance with the procedures hitherto followed by the two sides and to show respect for Iraq's dignity, sovereignty and security during inspections (for details see Annex-C which show activities of the inspection teams).

4. Air Surveillance

A) Since UNSCOM resumed its activities in Iraq on 18 November 1998, air surveillance has been conducted at 2 flights per day. The flight zone sometimes covered large areas of the country amounting to 40,000 square kilometers. In some cases a flight box is presented to the Iraqi side in such a large size that causes concern for the Iraqi air defences. On 5 Decemebr 1998 , for example, the area of the flight box presented by UNSCOM was 36.000 square kilometers and a part of which was in Iranian territory. BMVC was officially notified in order to consider the size and locations of flight zones in a logical and objective manner. Yet the flight boxes sent to us on 7 December 1998 were even larger (The areas of which exceeded 50.000 km2) with parts falling within Syrian and Jordanian territories.

B) UNSCOM has shown no respect for the modalities of common understanding between the two sides, especially those realting to avoiding flights over Baghdad city and the residential areas in accordance with procedures agreed upon since 1992. On 2 December 1998, for example, an air surveillance team flew over a site within the boundaries of the city of Baghdad. BMVC was notified accordingly. Besides, UNSCOM's pilots did not abide by flight routes already agreed upon nor by timings of take off and coming back, as was the case on 20 and 22 November 1998.

C) During this period the American spy plane U-2 conducted three air surveillance flights for 13 hours. (Details are contained in Annex-D).

5- Requests

On 26 November, Iraq made three requests to UNSCOM namely, one to send a team to assist Iraqi counterparts in investigating the fate of the 155-mm shells filled with mustard; second, to send a team to verify the tail units of the R-400; and, thirdly to entrust a team with the task of looking at the precise location of the pits which were used for the field storage of the special warheads at Fallujah Forest and the Tigris canal. The task envisaged by the tird request was completed. As for the first two, and despite sending the required information which UNSCOM requested, are still pending. UNSCOM promised to carry out these tasks " as soon as is practically possible."

It should be noted that these tasks, which are very important for the material balance of the chemical file, could have been commenced with during the current period. It is specially significant to note that the second task related to the R-400 simply requires a few number of inspectors from the BMVC to count the tail units of these bombs which are at the Iraqi Air Force stores.

Annex-A

The Sites Inspected by the Monitoring Groups
from 18 November to 13 December 1998

Serial	Activity	Number of Sites which are subject to Monitoring	Number of Sites which are not subject to Monitoring
1.	Missiles	44	2
2.	Chemical	47	2
3.	Biological	41	-
4.	Nuclear	52	87*
5.	Import/Export	36	1
6.	Air Surveillance	22	9
7.	Cameras Team	55	-
8.	Joint Groups	2	27
	Sub-Total	299	128
	Grand Total	427	

* The sites which are not subject to monitoring in the nuclear area are 87 sites throughout the Iraqi territories and waters from which various environmental samples are taken (water, mud deposits, herbs, grass, swabs, air). These locations are selected by the IAEA. Annex-B shows the activities conducted by the joint groups referred to in item 8 above.

Annex-B

The Sites Inspected by the Joint Monitoring Groups from 18 November to 13 December 1998

Serial	The Joint Group	Site's Name	Date of the Visit	Notes
1.	chemical+biological+nuclear	1. U'bour State Company-Military Industrialization	22/11/1198	The site is subject to monitoring.
2.	chemical+biological+nuclear	1. The State Company for Tobacco and Cigarettes-Nasr Factory/Ministry of Industry	23/11/1998	The site is subject to monitoring.
3.	chemical+nuclear+imports	1. The Iraqi Company for Carton Manufacturing-Mixed sector. 2. Light Industries Company-Mixed sector 3. Baghdad Company for Insulating Materials-Private sector. 4. Sewage Pipes and Accessories Company-Private sector. 5. Hilal Industrial Company-Mixed sector 6. Karwan Company for Soft Drinks Drinks-Private sector.	1/12/1998	The sites are not subject to monitoring.

/...

4.	chemical+biological+nuclear+ imports	1. The Baghdadi Company for Steel Poles and Pipes/Private sector. 2. Ahmed Aluminum Company/ Private Sector. 3. The Private Company for Washing Machines/Private Sector. 4. Nova Ice Cream Plant/Private Sector. 5. Spare Parts Reconstruction Plant for the Armed Forces/Ministry of Defence.	2/12/1998	The sites are not subject to monitoring.
5.	missile+biological+nuclear+ Imports	1. The Base Electronic Repairing Plant-Ministry of Defence	3/12/1998	The site is not subject to monitoring.
6.	missile+chemical+biological	1. Languages and Translation Institute 2. Tahiri Shop for Identity Cards Compression. 3. The office of the singer Karim Al-Khaliji. 4. Al-Harith Office for Printing and Translation. 5. The office of the singer Mohammed Al-Ralal. 6. The office for computer services. 7. Ma'rifa Office for Agricultural Supplies.	5/12/1998	The sites are not subject to monitoring.

		8. Office and Plant of Saqar Leathers. 9. Hattim Office of General Contracting. 10. Akhatir Office for Decoration and Designs. 11. Shop of Calligrapher Ibrahim Al-Qaysi. 12. Office of Lawyer Marid Al-A'aridhi. 13. Shahad Supermarket. 14. Suna Supermarket. 15. Office of Sabal Al-Muhana for agricultural lands.		
		29 sites (27 sites are subject to monitoring and 2 sites are not subject to monitoring.		

Annex-C

The Inspection Teams Dispatched by the UNSCOM from 18 November to 13 December 1998

Activity	Team's Name	Period of Time	The Team's members	Number of Inspections	The Team's Task	Notes
Missiles	1. MG-19A Headed by the British Paul Kliford	1/12-13/12/1998	8	13	To check the tags put on 250 missiles which are subject to monitoring. The missiles have been selected randomly according to the procedures agreed upon between the two sides.	All the tags checked, at all the sites, were in good condition. This means that there are no actions to modify or develop these missiles in order to increase their ranges.
	2. UNSCOM-259 Headed by the French Corin Hirode	3/12-20/12/1998	13	5	To prepare for building a missile tracking system relating to the missiles with range less than 150 km, which are subject to monitoring during flight tests. This required the team to survey the	We think that the task of this team is unnecessary and infringes upon the communications security in Iraq, especially most members of the team are Americans and British.

/....

					frequencies operating in the desert area from 5/12/1998 up to now. To visit field storage of the special warheads where these warheads stored in 1990-1991 in Tigris area and Faloaja Forests. In addition to making visits to Karama State Company (Kadhemiya and Bin Al-Haitham sites), which is responsible for the development of Sumoud missile with a range less than 150 km.	The team surveyed the frequencies which they should observe according to the equipment they have. The team has been cautioned about this through a letter sent to BMVC.
Chemical	1. UNSCOM-257 Headed by the Dutch Cease Walterbik	22/11-28/11/1998	5	10	To evaluate the monitoring system at 10 sites, using FTIR equipment.	The results achieved by the team were positive. The measurements did not indicate any proscribed chemical agents.

Biological	1. UNSCOM-253 Headed by the British David Kelly	1/12-6/12/1998	13	Interviews and technical discussions	Interviews and discussions on R&D in the past biological programme.	The team held 8 morning and evening sessions for about four hours each. They interviewed 18 concerned persons for 32 hours during which they addressed detailed and repeated questions. However, the work was carried out with full cooperation of the Iraqi side.
	2. UNSCOM-261 Headed by the American Diyana Simon	3/12-10/12/1998	13	8	Inspecting sites which are subject to monitoring in order to evaluate their current activity.	The team did not detect any indication of proscribed activity or what contravened Iraq's declarations.

	3. UNSCOM-260 Headed by the German Gabrel Wadsak	6/12-10/12/1998	7	interviews and technical discussions	interviews and discussions on the growth media imported for the past biological programme.	Six morning and evening sessions were held, for about five hours each. During those meetings, the team interviewed 9 concerned persons for 30 hours during which very detailed questions were addressed, which the UNSCOM had already addressed and received the answer on them. However, the work was carried out with full cooperation of the Iraqi side.
	4. UNSCOM-256 Headed by the British David Kelly	10/12-18/12/1998	7	2	To follow up one of the growth media used in medicine production by Samara Drugs Factory.	The work is still continuous with full cooperation of the Iraqi side. It is expected that the work will continue during the coming two days at the same site. It is

						noteworthy that this subject was discussed previously and Iraq provided the required supporting documents. The task of this team is to make sure of the information submitted by the Iraqi side.
Special Tasks (the so-called concealment)	1. UNSCOM-258 Headed by the Australian Roger Hill	7/12-13/12/1998	30	10	To visit civilian and military sensitive sites in a provocative manner on the basis of suspicions and false and misleading information in order to search for alleged proscribed documents and weapons.	- The visits were provocative and intrusive. - The team tried not to implement the modalities of inspection of the sensitive sites. - The team tried to inspect Baghdad office of the Arab Ba'th Socialist Party, without explaining the reason of this attempt. They withdrew when the Iraqi side requested them to present such explanation.

						It is noteworthy, that the chief inspector and three other members entered the site and toured it. - The team inspected a residential house belonging to an Iraqi citizen in Baghdad. This a precedent which reflects unprofessional and provocative manner.
Total		8 teams		96 inspectors		48 inspections

Total hours of interviews and discussions: 62 hours
Total number of the persons interviewed and discussed: 27 persons

Annex-D

The UNSCOM Air Surveillance Activities from 18 November to 13 December 1998

Activity	Team's Name	Period of Time	The Team's members	Number of Sites	The Team's Task	Notes
Air Surveillance by Helicopters	1. AIT-30 headed by the New Zealand John Weson	18/11-22/11/1998	3	9	The team made air surveillance for those sites throughout Iraq. They also photographed and video-taped them for 160 minutes. The team did not detect any indication of proscribed activities at those sites.	
	2. AIT-31 headed by the Australian Alen Aril	23/11-up to now	3	22	The team made air surveillance for those sites throughout Iraq. They photographed and video-taped the sites for 415 minutes. They did not detect any indication of prescribed activities at these sites.	Sometimes, the flight boxes were large, up to more than 40 thousands km. This puts the Air Defence System in confusion. Some flight boxes trespassed Iraq's international borders. They covered areas in neighbouring

						countries (Iran, Syria and Jordan). The team did not observe the procedures of work established between the two sides. On 2 December, the team flew within Baghdad city to make air surveillance over a site regardless of the agreement with the UNSCOM since 1992 on the identification of Baghdad borders in order not to trespass them. The UNSCOM pilots did not observe the flight plan (they violated the flight routes and the timings of take off and coming back.)

Air surveillance by Fixed-Wing Aircraft

* The American spy plane U-2 made three spying flights in Iraq's air space during the aforementioned period. It flew over Iraq for 13 hours. The flights covered all the areas of Iraq and concentrated on northern Iraq, Baghdad city and the roads linking the main governorates.